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# OFFICER INVOLVED SHOOTING FORM

# INVESTIGATIVE SUMMARY

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- D. Scientific Services Bureau Lab Examination of Welle's Gun
- E. Photographs of Crime Scene taken by Crime Lab
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- Administrative Rights for Shooting/Force Review
- Lancaster PM shift In-Service dated March 25, 2007

# Los Angeles County Sheriff's Department Officer Involved Shooting

Page 1 of 4

Report Date:	06-28-0		au/Station/Facility:	Lanc	aster Stati	ion	Admin. In	est.?	Hit?
			And Marie Jose	Incident Inform	nation		A Marian No.		
URN:	007-07	501-1125-0	51	Date:	03-25	-07	T	ime:	0207 hours
City or Station:				Nature of Incident	: Welle was	involved in	a brief vehicle	pursuit i	n the city of
		ancaster Sta venue, Lanc		Lancaster. At the him. Welle return the containment	med fire and	was uninju	red. The susp	ect who s	ts fired a gunshot at shot at Welle escaped ada.
Location Type (circle one or man Backyard Beach Business Freeway Industrial Park Parking Lot Residence Rural School Street	e):	Lighting (circle Darkness Daylight Other Street Lights Weather (circle Clear Cloudy Fog Rain Distance:	only one):	Incident Type (chi Accidental Amed Person Fleeing Suspe Foot Pursuit Gun Take Awa Moving Vehick Sniper/Ambus Startle Struggle Involv Traffic Stop Unarmed Pers Unintentional	ry so th	ore):	Arres Call Obse One Othe See Two Prior Det	Person Union Person Union Person Union Person Union Person Union Activity (clientive ate Trans	nit nit rale only one):
Other:		15	feet	Warrant Service			RO	uune Faut	
Total # of Shots Fire	d by Deputy	Total # of Shots	Fired by Suspect	Warning Shot			Aero	Unit?	Canine Unit?
6			1	Other:		entra de la constanta			W. Salari Salari Salari
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Employee#	Last N	lame Welle	First	Name Daniel	м.і. Е.		elrcie only one):  Day	-	D Overtime Off Duty
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Employee #	Last N	lame	First	Name	M.I.		circle only one): PM Day		r Overtime Off Duty
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76	PSTD Use Only
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SH#	546191010

# Officer Involved Shooting

URN: 007-07501-1125-051

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					Rollout Information					
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				Shoot	ing / Force Inform	ation				
Meth	od					Тур	e of Injury	Body	Part	Injured
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## FORCE APPLIED (one code per block)

Used Against (E# or S#)	Method (Code)	Brand (Code)	Caliber (Code)	Authorized Weapon? (Y/N)	Authorized Ammunition? (Y/N)	Type of Injury (Code)	(Code)
F#1	FH					NN	NN
S#1	FH	BR	9	Y	Y	NN	NN
	E#1 S#1						LT 1

# Officer Involved Shooting Involved Employee Information



URN: \_\_\_\_007-07501-1125-051

Page <u>3</u> of <u>4</u>

		Involved Employee		
Employee #	Last Name Welle		First Name Daniel	M.t. E.
Sex: Race: W	Rank Deputy	Unit Assignment Lancaster Station	Work Assignment (Unit #, Module, etc.) Unit 117B	G
ShiftTime (circle only one): EM PM Day	ShiftType (circle only one):  Regular Overtime Off Dub	Intoxication/Drug Usage?	Substance Used: N/A	
Hospital Admission?	Hospital Name: NA	Coroner Case?	Coroner Case # N/A	Interviewed?
	Weight Plai	ing (circle only one): in Clothes no Vest in Clothes w/ Vest Uniform no Vest Uniform w/ Vest Qualification Date:	Other Factors:	
Range Qualification Date:		Certification Unit:	Number of Pr	ior Shootings:
Certified with Weapon Use Field Training Officer Emp		Coldication Office	Prior Shootings?	M.I.
Field Training Officer Emp			First Name	M.I.
			First Name	M.I.
Employee#	Last Name	Title Andrews	Work Assignment (Unit #, Module, etc.	
Sex: Race:	Rank	Unit Assignment:		<i>I</i> -
ShiftTime (circle only one): EM PM Day	ShiftType (circle only one): Regular Overtime Off Duty	Intoxication/Drug Usage?	Substance Used:	
Hospital Admission?	Hospital Name:	Coroner Case?	Coroner Case #	Interviewed?
Hrs of sleep prior to shootin  Age: Height:	Weight: Pla	ng (circle only one): in Clothes no Vest Raid Jacket w/ Vest in Clothes w/ Vest Uniform no Vest d Jacket no Vest Uniform w/ Vest	Other Factors:	
Range Qualification Date:	PPC	Qualification Date:	Laser Training Date:	
Certified with Weapon Use	d? Patrol Certification?	Certification Unit:	Prior Shootings? Number of P	rior Shootings:
Fleld Training Officer Emp	Last Name		First Name	M.L.
Field Training Officer Emp	Last Name		First Name	M.I.
Employee#	Last Name		First Name	MJ
Sex: Race:	Rank	Unit Assignment:	Work Assignment (Unit #, Module, etc	.):
ShiftTime (circle only one): EM PM Day	ShiftType (circle only one): Regular Overtime Off Dut	Intoxication/Drug Usage?	Substance Used:	, ,,,,,,
Hospital Admission?	Hospital Name:	Coroner Case?	Coroner Case #	Interviewed?
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Range Qualification Date:	PPC	Qualification Date:	Laser Training Date:	
Certified with Weapon Use	d? Patrol Certification?	Certification Unit:	Prior Shootings? Number of P	rior Shootings:
Field Training Officer Emp	Last Name		First Name	M.I.
Field Training Officer Emp	# Last Name		First Name	M.I.

# Officer Involved Shooting Suspect Information

	URN:
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007-07501-1125-051

Page 4 of 4

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S 1	Last Name Carrera			First Name Miguel	М.	H.
	AKA Last Name			First Name	M.	.k.
	Sex: Race:	Street Address:		City	State & Zip C	ode:
	Work Phone:	Home Phone:	Social Sec	curity#:	Driver's License #:	
					CII#	
	Age: 23 D.O.B. 03-13-79	Height: 5'06" Welght: 180	FBI#		OII#	
	Booking # N/A	Primary Charge: 664 / 18	7 PC	Secondary Charge:	N/A	
	Coroner Case?	Coroner Case #		Intoxication/Drug Usage?	Substance Used:	
	Armed?	Apprehended?		Mental Illness?	Criminal History?	
	Vehicle Make			Model:	Year: 1991	
		Hyundai		2 Door		
8	Last Name			First Name		L.L.
	AKA Last Name			First Name	N	A.L.
	Sex: Race:	Street Address:		City	State & Zip C	ode:
	Work Phone:	Home Phone:	Social Sec	curity #.	Driver's License #:	
		Height: Weight:	FBI#		CII#	
		Primary Charge:		Secondary Charge:		
	Booking #	Primary Charge:		Secondary Charge:		
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# SUPPLEMENTAL NON-EMPLOYEE WITNESSES Los Angeles County Sheriff's Department

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Street Address	Zip Code	Work Ph	Home Ph
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ast Name	First Name	Work Ph	M.I. Home Ph
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Street Address	Zip Code	Work Ph	Home Ph
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Street Address	Zip Code	Work Ph	Home Ph
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Street Address	Zip Code	Work Ph	Home Ph
	First Name		M.I.
ast Name	Zip Code	Work Ph	Home Ph
Street Address			eog rest to be about
ast Name	First Name		M.I. Home Ph
Street Address	Zip Code	Work Ph	

# SUPPLEMENTAL EMPLOYEE WITNESSES Los Angeles County Sheriff's Department

7\_of\_4 Employee Witnesses M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.i. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Home Ph Zip Code Work Ph Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Work Ph Home Ph Zip Code Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address MJ. First Name Last Name Home Ph Zip Code Work Ph Street Address M.I. First Name Last Name Zip Code Work Ph Home Ph Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Zip Code Home Ph Work Ph Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Home Ph Zip Code Work Ph Street Address M.I. First Name Last Name Work Ph Home Ph Zip Code Street Address

# SUPPLEMENTAL EMPLOYEE WITNESSES Los Angeles County Sheriff's Department

8 of 4

Employee Witnesses M.I. First Name Last Name Work Ph Home Ph Zip Code Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Zip Code Work Ph Home Ph Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Home Ph Zip Code Work Ph Street Address MI First Name Last Name Zip Code Work Ph Home Ph Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Home Ph Zip Code Work Ph Street Address M.I. First Name Last Name Zip Code Work Ph Home Ph Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Home Ph Zip Code Work Ph Street Address M.I. First Name Last Name Work Ph Home Ph Zip Code Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address M.I. First Name Last Name Hame Ph Work Ph Zip Code Street Address M.I. First Name Last Name Home Ph Zip Code Work Ph Street Address M.I. First Name Last Name Home Ph Work Ph Zip Code Street Address

# COUNTY OF LOS ANGELES SHERIFF'S DEPARTMENT

### SHOOTING EVALUATION

UNIT: DATE: Lancaster Station March 25, 2007

TIME:

0207 hours

LOCATION:

Anvers Avenue, Lancaster

URN#:

007-07501-1125-051

IAB#:

SH2191846

On March 25, 2007, the Internal Affairs Bureau's Force and Shooting Response Team responded to Anvers Avenue, Lancaster, regarding an officer involved non-hit shooting. The team consisted of Sergeant Steven Flamm, Sergeant Diane Holloway, and Acting Lieutenant Elier Morejon. Detective Harold Morrow of Lancaster Sheriff's Station was the detective assigned to handle the criminal aspect of the incident. Steven Connolley, Office of Independent Review, also responded to the scene of the incident.

When the team arrived at the location, the suspect was outstanding, and there was an active command post and containment of the location. Investigators learned that the series of events which occurred culminated into an officer involved non-hit shooting involving Deputy Daniel Welle.

This investigation is based on statements by the involved deputies and witnesses, and information obtained during the criminal investigation, along with various written documentation.

#### SYNOPSIS:

On March 25, 2007, at approximately 0207 hours, Deputy Daniel Welle, a uniformed special assignment officer assigned to Lancaster, was working as a one person car in the City of Lancaster. Welle observed a vehicle (Hyundai, white, 2 door, Nevada Lic. # occupied by three male Hispanics driving east on Norberry Avenue from 11<sup>th</sup> Street West. Welle observed that the vehicle was driving erratically throughout a residential area. Refer to **Exhibit A** for Photograph of Deputy Daniel Welle.

Due to the above observations, Welle formed the opinion that the driver of the vehicle was possibly driving under the influence of an unknown substance and decided to effect a traffic stop of the vehicle.

Once Welle activated his forward red light, the suspect vehicle continued driving eastbound on Norberry Avenue and failed to immediately yield. Before Welle broadcasted that he was in pursuit of a suspected drunk driver, the suspect vehicle turned south and stopped at the end of the cul-de-sac at Anvers Avenue. As the vehicle came to a stop, both the front and rear passengers exited via the right side passenger door and began to run south toward a six-foot cinder block wall.

Before scaling the block wall, the rear passenger, later identified as Miguel Carrera, turned in Welle's direction and fired a single gunshot from a handgun that he was holding in his right hand. Welle returned fire discharging between 3-4 rounds from his department issued Beretta 9mm handgun at Carrera from a distance of about 15 feet.

The suspect then began to scale the wall. As Carrera's body was positioned at the top of the block wall, he again pointed his handgun in Welle's direction. Welle discharged approximately 3-4 more rounds at Carrera. Carrera continued over the block wall and out of view; he was not apprehended at the conclusion of the incident.

IAB Note:	On April 25, 2007, Lancaster Detective Harold Morrow was contacted by Sergeant of the Henderson, Nevada, Police Department. Total told Morrow that Carrera was in their custody regarding a Receiving Stolen Property charge. In the further told Morrow that Carrera was suffering from in gunshot wound to his left shoulder and left forearm. Refer to Carrera's statement located in the Suspect Statement portion of this summary.
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The front passenger of the suspect vehicle, later identified as scaled the block wall and was apprehended a short time later within the crime scene containment. The driver, later identified as was taken into custody shortly after the shooting as he remained inside of the vehicle while the incident took place.

The weapon used by Carrera, which is believed to be a revolver, was never recovered. One of Welle's rounds was accounted for, as it struck the cinder block wall. Carrera's round was never accounted for. Refer to **Exhibit B** for Crime Scene Schematic.

### INVOLVED PERSONNEL:

Welle, Daniel
Deputy Sheriff, Employee #
Field Operations Region I
Lancaster Sheriff's Station

#### **EMPLOYEE WORK HISTORY:**

#### **Deputy Daniel Welle**

Date of Employment:

Date assigned to Patrol:

Date completed patrol training:

Prior Shooting Incident(s):

Prior Founded Force Incidents:



#### SUSPECT(S):

Manuel Carrera, MH/09-06-84, 5'-06", 180 lbs., black/brown



C.D.L. #

F.B.I. #

#### **CRIMINAL HISTORY:**

Miguel Carrera has A check of the Consolidated Criminal History Reporting System (CCHRS) revealed for Miguel Carrera.

IAB Note: Refer to Exhibit C for Miguel Carrera's criminal history report.

#### NON-DEPARTMENT WITNESSES:

On March 25, 2007, Detective Morrow interviewed in the Lancaster Sheriff's Station booking area. It told Morrow that he was "hanging out" with some friends in the Lancaster area during the night of the incident. It said that he drove Carrera and to different locations throughout the Lancaster area. It is a said as they were driving through the area of Jane Reynolds Park, looking to buy narcotics, he observed a Sheriff's patrol car. It is said that he drove his vehicle until he saw that the patrol car had activated its red lights.

Shooting Evaluation Investigative Summary

eventually drove onto Anvers Avenue where he noticed that it came to a dead end.
recalled the front and rear passengers had quickly exited the vehicle.  said that he heard a gunshot coming from the passenger's side of the vehicle
as both of the occupants began to flee. He did not know which acquaintance fired the
he then opened the driver's door and exited the vehicle on his stomach as the Deputy
was giving him commands. was then taken into custody.
Suspect to the Lancator
On March 25, 2007, Detective Morrow interviewed in the Lancaster Sheriff's Station booking area. In the Lancaster denied being present during the incident and
claimed that he was never inside a vehicle which was stopped by deputy personnel.
could provide no explanation as to why he was apprehended within the containment area the incident occurred.
met Carrera or Refer to Exhibit G for Supplemental Report written by
Detective Harold Morrow.
DEPARTMENT WITNESS(ES):
DEPARTMENT WITHESS(ES).
None

### WEAPONS USED BY SUSPECT:

### Suspect Miguel Carrera

There was no weapon recovered within the containment of crime scene.

IAB Note: During Welle's interview, he recalled seeing a small black revolver in

Carrera's right hand as the shooting took place.

### WEAPONS USED BY DEPUTY PERSONNEL:

### **Deputy Daniel Welle**

Department issued service firearm: Beretta, Model 92FS, 9MM, #BER

Deputy Welle's weapon contained one live Luger 9MM round in the chamber and nine Luger 9MM rounds in the gun magazine. Prior to the shooting, Deputy Welle stated that his weapon was loaded with one live round in the chamber and fifteen live rounds in his gun's magazine, meaning that he fired 6 rounds during the incident. For additional information, refer to the Crime Lab's examination of Welle's

weapon (Exhibit D).

#### INVESTIGATOR OBSERVATIONS:

The physical evidence at the shooting scene (positions of shell casings and expended rounds; position of the patrol car; and evidence recovered at the scene) appeared to be consistent with the deputies' and witnesses' versions of the event.

#### PHYSICAL EVIDENCE:

Photographs of the crime scene (vehicles' placements) were taken by the Crime Lab and can be found in this case as **Exhibit E**.

#### INVOLVED DEPUTY:

Deputy Daniel Welle

On March 25, 2007, at approximately 0700 hours, Deputy Daniel Welle was interviewed at Lancaster Sheriff's Station by Internal Affairs' investigators, Sergeants Steve Flamm and Diane Holloway. The following is a summary of the interview, which was audio recorded.

Welle said that during the night of the incident, he was conducting a routine patrol check of Jane Reynolds Park. Welle said that his attention was directed to a white Hyundai which was also driven through the park. Welle said that he heard the occupants of the Hyundai were extremely loud and boisterous, yelling "paranoia, paranoia, paranoia." Welle said that he followed the occupants of the Hyundai out of the park and onto Avenue J. As Welle followed the Hyundai, he observed it turn north onto 11 Street West. Welle observed that the vehicle began to travel at a high rate of speed as it turned south on Norberry Avenue. At that point, Welle said that he activated his overhead red light and siren in an attempt to stop the vehicle. Welle said that the Hyundai then turned west onto Anvers Avenue.

At that point, Welle believed that he was in pursuit of the Hyundai; however, he did not broadcast the pursuit via his Sheriff's radio. Welle further stated, "I was in pursuit but I was not familiar with Norberry Avenue or the surrounding streets so I was just trying to get my bearings. I only had my siren and overhead lights on for a distance of 75 yards and that's when we hit the cul-de-sac and he pursuit terminated."

Welle saw that the Hyundai stopped approximately 5 feet in front of the cinder block wall at the end of the cul-de-sac and positioned his patrol car 5-7 feet behind it. Welle then observed the front and rear passengers (Carrera and exit the Hyundai simultaneously. Welle said the driver remained inside of the Hyundai and eventually assumed a prone position on the asphalt.

Welle said that he then observed Carrera, who was holding a small caliber revolver, point it in his direction and fire one round at him. Welle maintained his position within the A-Frame of the front driver's side patrol car and returned fire discharging 3-4 rounds from his duty weapon. Welle said that he then observed both Carrera and cinder block wall which was located approximately 7-9 feet south from where the Hyundai came to rest. Welle recalled scaling the wall first, closely followed Carrera. As Carrera reached the top of the cinder block wall, Welle saw him raise his handgun, pointing it in Welle's direction. Welle said that he in turn fired between 3-4 rounds at Carrera. Welle observed both Carrera and scale the wall and he (Welle) immediately requested emergency radio traffic advising Lancaster units that he had been involved in a shooting and subsequently established a containment. Refer to Exhibit F for Compliant Report (SH-49) written by Deputy Christina Smerk.

#### SUSPECT STATEMENT:

Miguel Carrera

Due to the fact that Carrera eluded the containment which was established after the shooting took place, no statement was obtained from him during the night of the incident by this investigator. On April 25, 2007, Detective Morrow traveled to the Henderson Nevada Police Department Detention Center to interview Carrera. Morrow inquired as to how Carrera received the gunshot wounds to his left arm and shoulder. Carrera said that he was at a party in Las Vegas during the first week in April. Carrera said that he could not afford medical treatment for his wounds so he researched medical advice on the internet and had friends aid in his recovery. Carrera denied begin in a shooting with deputy personnel during the night of the incident. Refer to Exhibit H for Supplemental Report written by Detective Harold Morrow.

## CRIMINAL INVESTIGATOR and CHARGES FILED:

Investigator:

Detective Harold Morrow, Lancaster Station

Court:

Antelope Valley Superior Court

Charges Filed:

Attempted Murder on a Peace Officer, 664/187 PC

### PROPERTY DAMAGE:

None